

<b>MINUTES</b> <b>CITY OF SOUTH PADRE ISLAND</b> <b>CITY COUNCIL REGULAR MEETING</b>
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**WEDNESDAY, MAY 3, 2017**

**I. CALL TO ORDER**

The City Council Members of the City of South Padre Island, Texas held a Regular Meeting on Wednesday, May 3, 2017 at the Municipal Complex Building, 2<sup>nd</sup> Floor, 4601 Padre Boulevard, South Padre Island, Texas. Mayor Pro-tem Dennis Stahl called the meeting to order at 5:30 p.m. A quorum was present: Council Members Ron Pitcock, Theresa Metty, Alita Bagley and Paul Munarriz, with Mayor Bharat Patel absent due to emergency travel. Also present was City Attorney Kathy Cunningham.

City staff members present were City Manager Susan Guthrie, Assistant City Manager Darla Jones, Chief Financial Officer Rodrigo Gimenez, Public Works Director Alex Sanchez, Development Director Sungman Kim, CVB Director Keith Arnold, Fire Chief William Fowler, Environmental Health Director Victor Baldovinos, Transit Director Jesse Arriaga, Shoreline Management Director Brandon Hill, Assistant Public Works Director Jon Wilson, Information Technology Director Mark Shellard, Interim Public Information Officer Angelique Soto, Parks and Recreation Manager Anne Payne and City Secretary Susan Hill.

**II. PLEDGE OF ALLEGIANCE**

Mayor Pro-tem Stahl led the Pledge of Allegiance.

**III. PUBLIC COMMENTS AND ANNOUNCEMENTS**

Public comments and announcements were given at this time.

**IV. PRESENTATIONS AND PROCLAMATIONS:**

- a. **PROCLAMATION: NATIONAL TRAVEL AND TOURISM WEEK**
- b. **PROCLAMATION: MOTORCYCLE SAFETY AND AWARENESS MONTH**

**V. APPROVE CONSENT AGENDA:**

Council Member Metty made a motion, seconded by Council Member Pitcock to approve the Consent Agenda. Motion carried unanimously.

- a. **APPROVE MINUTES OF APRIL 19, 2017 WORKSHOP AND REGULAR MEETING. (S. HILL)**

- b. **APPROVE INVOICES FOR PAYMENT. (GIMENEZ)**

Invoices approved for payment were paid by General Fund checks numbered 138094 through 138222 and EFT payments totaling \$538,767.04.

- c. **APPROVE QUARTERLY INVESTMENT REPORT FOR QUARTER ENDING MARCH 31, 2017 PREPARED BY VALLEY VIEW CONSULTING, L.L.C. (GIMENEZ)**

- d. **APPROVE RESOLUTION NO. 2017-16 APPROVING THE TEMPORARY CLOSURE OF HIGHWAY 100 FOR THE SUMMER LONGEST CAUSEWAY AND FITNESS WALK ON SATURDAY, JUNE 3, 2017. (PAYNE)**

A true and correct copy of said Resolution was placed in the City's Resolution Book and entitled Resolution No. 2017-16, and, by reference hereto, included in these Minutes as if fully set out and spread upon the pages of the Minutes Book.

- e. **APPROVE BUDGET AMENDMENT IN THE AMOUNT OF \$625 TO ALLOCATE GRANT FUNDS FOR TRAINING FROM TEXAS INTRASTATE FIRE MUTUAL AID SYSTEM (TIFMAS). (FOWLER)**
- f. **APPROVE CHANGE ORDER NO. 1 FOR THE MORNINGSIDE ROAD DRAINAGE IMPROVEMENTS PROJECT IN THE AMOUNT OF \$2,958. (SANCHEZ)**
- g. **APPROVE SECOND AND FINAL READING OF ORDINANCE NO. 17-02 AMENDING SEC. 22-4 DUNE PROTECTION LINE TO PROVIDE DUNE PROTECTION LINE TO THE PROPERTY AT LOT 1, BLOCK 1, PADRE ISLAND INN SUBDIVISION (ALSO KNOWN AS THE "OCEAN TOWER" PROPERTY. (B.HILL)**
- h. **APPROVE EXCUSED ABSENCE FOR COUNCIL MEMBER ALITA BAGLEY FROM THE MAY 17, 2017 CITY COUNCIL MEETING. (BAGLEY)**

**VI. PRESENTATION FROM DOUG SCHNOEBELEN, CHIEF OF SOUTH TEXAS PROGRAM OFFICE OF THE U.S. GEOLOGICAL SURVEY (USGS) REGARDING COLLABORATION OF RESEARCH PROJECTS RELATED TO THE BEACH THAT COULD BE BENEFICIAL BY BOTH THE CITY AND USGS. (B. HILL)**

Doug Schnoebelen with the U.S. Geological Survey Water Science Center gave a brief presentation on research projects through out the state and prospective projects that could involve the Texas coastline and South Padre Island.

**VII. UPDATE AND DISCUSSION ON VENUE TAX PROJECTS. (GUTHRIE)**

City Manager Susan Guthrie gave a brief update on the Venue Tax projects with Chief Financial Officer Rodrigo Gimenez giving a financial update and Silent Water Sport Enthusiast Carol Bolstad giving a rendition of proposed Water Sport facilities.

**VIII. UPDATE AND DISCUSSION UPDATE ON SPRING BREAK: (GUTHRIE)**

- a. **PROPOSED SPRING BREAK/MASS GATHERING ORDINANCE**
- b. **SHORT-TERM RENTALS/NEIGHBORHOOD ISSUES**
- c. **TRANSIT PILOT**

An update was given on subcommittees who met to discuss Spring Break/Mass Gathering and short-term rental/neighborhood issues. Transit Director Jesse Arriaga gave an update on the pilot program for Transit buses during high peak times, concluding that it worked very well.

**IX. DISCUSSION AND ACTION TO APPROVE ORDINANCE NO. 17-03 AMENDING SECTION 4-27 OF THE CODE OF ORDINANCES PROHIBITING BARBED WIRE FENCING. (JONES)**

Council Member Metty made a motion, seconded by Council member Bagley to approve first reading of Ordinance No. 17-03 prohibiting barbed wire fencing. Motion passed unanimously.

**X. DISCUSSION AND ACTION ON FIRST READING OF ORDINANCE NO. 17-04 AMENDING CHAPTER 10, ARTICLE II, FOOD SERVICES TO COMPLY WITH THE NEW CHANGES TO THE TEXAS FOOD ESTABLISHMENT RULES. (BALDOVINOS)**

Council Member Bagley made a motion to approve first reading of Ordinance No. 17-04 to comply with new changes to the Texas Food Establishment rules. Motion was seconded by Council Member Pitcock, which carried on a unanimous vote.

**XI. DISCUSSION AND POSSIBLE ACTION ON FIRST READING OF ORDINANCE NO. 17-05 TO AMEND CHAPTER 10 OF THE CODE OF ORDINANCES SECTION 10-31 PERTAINING TO MOBILE FOOD UNIT DESIGNATED AREAS AND PERMIT REQUIREMENTS. (BALDOVINOS)**

Council Member Metty made a motion to approve first reading of Ordinance No. 17-05 pertaining to mobile food units designated areas and permit requirements. Council Member Pitcock seconded the motion, which passed unanimously.

**XII. DISCUSSION AND ACTION TO APPROVE FIRST READING OF ORDINANCE NO. 17-06 AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES TO ALLOW FOR EXPANDED DESIGNATION FOR QUALIFIED NATURAL HABITAT LOTS. (BALDOVINOS)**

Council Member Bagley made a motion, seconded by Council Member Metty to approve first reading of Ordinance No. 17-06 amending Chapter 9 of the Code of Ordinances to allow for expanded designation for Qualified Natural Habitat lots. Motion carried on a unanimous vote.

**XIII. DISCUSSION AND ACTION TO AUTHORIZE THE CITY MANAGER TO APPROVE THE AMENDMENT TO MULTIPLE USE AGREEMENT BETWEEN THE STATE OF TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND THE CITY OF SOUTH PADRE ISLAND, WHICH WILL PERMIT THE CITY'S TRANSIT DEPARTMENT TO CONSTRUCT A PERMANENT FACILITY ON AN ADDITIONAL PORTION OF THE STATE RIGHT OF WAY NECESSARY FOR THE STRUCTURE. (ARRIAGA)**

Council Member Bagley made a motion to authorize the City Manager to approve the amendment to the Multiple Use Agreement to construct a permanent facility on additional State right-of-way. Motion was seconded Council Member Pitcock and passed unanimously.

**XIV. DISCUSSION AND ACTION TO AUTHORIZE THE CITY MANAGER TO APPROVE THE STANDARD LEASE AGREEMENT FOR THE MULTIMODAL FACILITY, WHICH WILL ESTABLISH A COOPERATIVE AND MUTUALLY BENEFICIAL RELATIONSHIP BETWEEN THE STATE OF TEXAS ACTING THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND THE CITY OF SOUTH PADRE ISLAND'S TRANSIT DEPARTMENT. (ARRIAGA)**

Council Member Munarriz made a motion, seconded by Council Member Pitcock to approve lease agreement for Transit Multimodal facility. Motion carried on a unanimous vote.

**XV. DISCUSSION AND ACTION TO APPROVE A BUDGET AMENDMENT IN THE AMOUNT OF \$981,726 FOR THE CONSTRUCTION OF THE SEASIDE, OCEAN, MOONLIGHT AND GULF-END WALKOVERS. (B. HILL)**

Mayor Pro-tem Stahl made a motion to approve budget amendment for the construction of Seaside, Ocean, Moonlight and Gulf-end walkovers in the amount of \$981,726. Council Member Munarriz seconded the motion, which passed unanimously.

**XVI. DISCUSSION AND ACTION TO AWARD BID FOR THE DEVELOPMENT OF OCEAN CIRCLE BEACH ACCESS TO THE LOWEST BIDDER, GONZALEZ-DE LA GARZA & ASSOCIATES, LLC, IN THE AMOUNT OF \$452,000. (B. HILL)**

Council Member Pitcock made a motion, seconded by Council Member Munarriz to award a contract for the development of Ocean Circle Beach Access to the lowest bidder meeting specifications, Gonzalez-De La Garza & Associates, LLC, in the amount of \$452,000. Motion carried on a unanimous vote.

Other bids received were from Bryant Industrial Services in the amount of \$564,000.

**XVII. DISCUSSION AND ACTION TO AWARD BID TO CONSTRUCT A SIDEWALK AND DUNE WALKOVER AT SEASIDE CIRCLE BEACH ACCESS TO THE LOWEST BIDDER, WILLIS DEVELOPMENT LLC, IN THE AMOUNT OF \$298,690.20. (B. HILL)**

Council Member Munarriz made a motion, seconded by Council Member Pitcock to award a contract to construct a sidewalk and dune walkover at Seaside Circle Beach Access to the lowest bidder meeting specifications, Willis Development LLC, in the amount of \$298,690.20. Motion carried on a unanimous vote.

Other bids received were from Bryant Industrial Services in the amount of \$307,000.

**XVIII. DISCUSSION AND ACTION TO AWARD BID FOR THE WEST ARIES DRIVE AND WEST VERNA JEAN DRIVE WIDENING IMPROVEMENTS PROJECT TO THE LOW BIDDER, G&T PAVING, LLC, IN THE AMOUNT OF \$158,811.74. (SANCHEZ)**

Council Member Pitcock made a motion, seconded by Council Member Metty to award a contract for street widening improvements to West Aries and Verna Jean Drive to the lowest bidder meeting specifications, G & T Paving LLC, in the amount of \$158, 811.74. Motion carried on a unanimous vote.

Other bids received were from:


- RML Hauling in the amount of \$174,549.98
- Jimmy Closner & Sons in the amount of \$238,835.20
- Foremost Paving, Inc. in the amount of \$249,933.00


**XIX. DISCUSSION AND ACTION TO APPOINT ASSISTANT CITY ATTORNEY KATHY CUNNINGHAM AS THE CITY ATTORNEY. (GUTHRIE)**

Council Member Munarriz made a motion to appoint Kathy Cunningham as the City Attorney. Motion was seconded by Council Member Pitcock, which passed unanimously.

**XX. ADJOURN.**

There being no further business, Mayor Pro-tem Stahl adjourned the meeting at 7:27 pm.

  
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 Susan M. Hill, City Secretary

APPROVED  
  
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 Dennis Stahl, Mayor Pro-tem

